



*John T. Auberger*  
*Supervisor*

# **TOWN OF GREECE**

## **BOARD OF ZONING APPEALS**

### **AGENDA**

**OCTOBER 19, 2010**

#### **General Information:**

**Work Session: 6:30 p.m.**

**Meeting: 7:00 p.m.**

#### **Roll Call:**

**Albert F. Meilutis, Chairman**

**Michelle M. Betters**

**Diana M. Christodaro**

**Randy T. Jensen**

**William F. Murphy**

**John J. Riley**

**Keith J. Rockcastle**

**Christopher A. Schiano, Deputy Town Attorney**

**Ivana Frankenberger, Planning Assistant**

**Mary Jo Santoli, Secretary to the Zoning Board**

#### **Pledge of Allegiance**

**Additions/Deletions to the Agenda**

**Announcements**

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**OLD BUSINESS:**

- 1. Applicant:** James S. Spears  
**Location:** 63 Lowden Point Road  
**Mon. Co. Tax No.:** 026.15-4-23  
**Zoning District:** R1-E (Single-Family Residential)  
**Request:** An area variance for an existing 15 ft. round, aboveground pool to be located a waterfront yard, where accessory structures, including pools, are permitted in rear yards only. Sec. 211-11 E (3)
  
- 2. Applicant:** Salvatore's Pizzeria  
**Location:** 2496 West Ridge Road  
**Mon. Co. Tax No.:** 074.14-2-12  
**Zoning District:** BR (Restricted Business)  
**Request:** An area variance for a proposed second (west side) building-mounted sign, with a sign area of 40.0 sq. ft., instead of the one (1) 32.0 sq. ft. building-mounted sign permitted. Sec. 211-52 B (2)(c)[1], Table VII
  
- 3. Applicant:** Auction Direct USA  
**Location:** 4350 West Ridge Road  
**Mon. Co. Tax No.:** 073.01-1-7  
**Zoning District:** BG (General Business)  
**Request:** A special use permit to operate a business for the sale, lease or rental of new and used cars and trucks, including related repair or service facilities; and for outdoor storage or display of motor vehicles. Sec. 211-17 C (3) (b) [3] & Sec. 211-17 C (3) (b) [4]

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- 4. Applicant:** Texas Roadhouse  
**Location:** 1946 & 1960 West Ridge Road  
**Mon. Co. Tax No.:** 074.15-11-27 & 074.16-2-22  
**Zoning District:** BR (Restricted Business)  
**Request:**
- a) An area variance for a proposed freestanding restaurant to have a front setback 60.6 ft., measured from the west right-of-way line of Latona Road (aka Fetzner Road), instead of the 85.0 ft. minimum required. Sec. 211-17 B (4), Table III
  - b) An area variance for 378 parking spaces instead of the 609 parking spaces required. Sec. 211-45 N(3)(B); Sec. 211-45 N (4); Sec. 211-45 P; Sec. 211-45 Q; Sec. 211-45 S (1); Sec. 211-45 Z
  - c) An area variance for proposed lot coverage of 22.9%, instead of the 15% maximum permitted. Sec. 211-17 B (4), Table III
  - d) An area variance for a proposed second (south side) building-mounted sign, with a sign area of 229.8 sq. ft., instead of the one (1) 50.0 sq. ft. building-mounted sign permitted. Sec. 211-52 B (2)(a)[1] & Sec. 211-52 B (2)(c)[1], Table VII

**NEW BUSINESS:**

- 1. Applicant:** Michael E. & Kimberly A. Kimble  
**Location:** 329 Gnage Lane  
**Mon. Co. Tax No.:** 045.03-2-88  
**Zoning District:** R1-E (Single-Family Residential)  
**Request:**
- a) An area variance for a proposed shed (14.0 ft. x 14.0 ft.; 196.0 sq. ft.) to be partially located in a front and side yard, where accessory structures, including sheds, are permitted in rear yards only. Sec. 211-11 E (3)
  - b) An area variance for an existing shed (8.6 ft. x 10.3 ft.; 88.6 sq. ft.) to have a (east) side setback of 3.6 ft., instead of the 4.0 ft. minimum required. Sec. 211-11 E (1), Table I
  - c) An area variance for an existing shed (8.6 ft. x 10.3 ft.; 88.6 sq. ft.) to have a (south) side setback of 3.6 ft., instead of the 4.0 ft. minimum required. Sec. 211-11 E (1), Table I

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2.   **Applicant:**                 Donald R. & Sandra A. Ewing  
      **Location:**                 125 Daffodil Trail  
      **Mon. Co. Tax No.:**   058.03-4-74  
      **Zoning District:**   R1-E (Single-Family Residential)  
      **Request:**                 An area variance for a proposed covered porch (14.0 ft. x 24.0 ft.; 336.0 sq. ft.), to be located 6.0 ft. from an existing in-ground pool, instead of the 10.0 ft. minimum required. Sec. 184-5 A (2)
3.   **Applicant:**                 Deborah K. Kramer  
      **Location:**                 618 Sharon Drive  
      **Mon. Co. Tax No.:**   074.07-2-2  
      **Zoning District:**   R1-E (Single-Family Residential)  
      **Request:**                 a) An area variance for an existing shed (8.1 ft. x 10.1 ft.; 81.8 sq. ft.), to have a (west) side setback of 0.2 ft., instead of the 4.0 ft. minimum required. Sec. 211-11 E (1), Table I  
                                      b) An area variance for an existing pool shed (6.5 ft. x 12.3 ft.; 79.9 sq. ft.), to be located 2.5 ft. from an existing in-ground pool, instead of the 10.0 ft. minimum required. Sec. 184-5 A (2)  
                                      c) An area variance for an existing deck, (approximately 828 sq. ft.) to be located in a side yard, where accessory structures, including decks, are permitted in rear yards only and for said deck to have a (west) side setback of 0 ft., instead of the 4.0 ft. minimum required. Sec. 211-11 E (1), Table I; Sec. 211-11 E (3)
4.   **Applicant:**                 Richard E. Schultz  
      **Location:**                 142 Stone Road  
      **Mon. Co. Tax No.:**   060.74-5-5  
      **Zoning District:**   R1-E (Single-Family Residential)  
      **Request:**                 An area variance for an existing deck, (approximately 224 sq. ft.) to be located in a side yard, where accessory structures, including decks, are permitted in rear yards only. Sec. 211-11 E (1)

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- 5. Applicant:** Kitty O. Callaghan  
**Location:** 209 Brookridge Drive  
**Mon. Co. Tax No.:** 060.71-3-3  
**Zoning District:** R1-E (Single-Family Residential)  
**Request:** An area variance for lot coverage of 30%, where 27.9% was granted by the Board of Zoning Appeals on October 5, 2004. Sec. 211-11 D (2), Table I
- 6. Applicant:** Robert M. Latone, Jr.  
**Location:** 414 Sweet Acres Drive  
**Mon. Co. Tax No.:** 034.01-2-28  
**Zoning District:** R1-E (Single-Family Residential)  
**Request:** An area variance for an existing covered porch (9.0 ft. x 14.0 ft.; 126 sq. ft.), to have a front setback of 54.9 ft. (measured from the north right-of-way line of Sweet Acres Drive), instead of the 60.0 ft. minimum established by the neighborhood average. Sec. 211-11 D (1)(b)
- 7. Applicant:** West Fire Systems, Inc.  
**Location:** 465 Stone Road  
**Mon. Co. Tax No.:** 060.82-9-1  
**Zoning District:** BR (Restricted Business)  
**Request:** An area variance for an existing freestanding sign (approximately 8.0 sq. ft.), to be located a distance of 1.5 ft. from the (south) right-of-way line of Stone Road, instead of the 15.0 ft. minimum required. Sec. 211-52 B (1)(b)[1]

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- 8. Applicant:** Bike Zone  
**Location:** 2100 West Ridge Road  
**Mon. Co. Tax No.:** 074.15-14-16  
**Zoning District:** BR (Restricted Business)  
**Request:** a) An area variance for a proposed freestanding sign (4.0 ft. x 8.0 ft.; 32.0 sq. ft.), to be located a distance of 2.0 ft. from the (north) right-of-way line of West Ridge Road, instead of the 15.0 ft. minimum required. Sec. 211-52 B (1)(b)[1]  
b) An area variance for a proposed freestanding sign to have a total area of 32.0 sq. ft., instead of the 20.0 sq. ft. maximum permitted. Sec. 211-52 B (1)(d), Table VI  
c) An area variance for a proposed second (east side) building-mounted sign, with a sign area of 28.0 sq. ft., instead of the one (1) 50.0 sq. ft. building-mounted sign permitted. Sec. 211-52 B(2)(a)[1] & Sec. 211-52 B (2)(c)[1], Table VII
- 9. Applicant:** Transitowne Dodge of Greece, Inc.  
**Location:** 4477 West Ridge Road  
**Mon. Co. Tax No.:** 073.01-3-14  
**Zoning District:** BG (General Business)  
**Request:** An area variance for a proposed seventh (north side) building-mounted sign, with a sign area of 38.0 sq. ft. ("Ram"), with an overall total sign area of 195.0 sq. ft., where six (6) building-mounted signs totaling 157.0 sq. ft. was granted by the Board of Zoning Appeals on January 18, 2005. Sec. 211-52 B(2)(a)[1] & Sec. 211-52 B (2)(c)[1], Table VII
- 10. Applicant:** Walgreen Company  
**Location:** 651 Long Pond Road  
**Mon. Co. Tax No.:** 045.03-1-4.1  
**Zoning District:** BR (Restricted Business)  
**Request:** a) An area variance for a second proposed (south side) building-mounted sign, with a sign area of 49.7 sq. ft., instead of the one 50 sq. ft. building-mounted sign permitted. Sec. 211-52 B(2)(a)[1] & Sec. 211-52 B(2)(c)[1], Table VII  
b) An area variance for a third proposed (north side) building-mounted sign, with a sign area of 49.7 sq. ft., instead of the one 50 sq. ft. building-mounted sign permitted. Sec. 211-52 B(2)(a)[1] & Sec. 211-52 B(2)(c)[1], Table VII

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**MODIFICATION TO NEIGHBORHOOD NOTIFICATION:**

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**ADJOURNMENT**

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